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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/644,484	08/23/2000	Edward E. Belfiglio	TSMI : 001	2274

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EXAMINER

DEXTER, CLARK F

ART UNIT	PAPER NUMBER
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3724

DATE MAILED: 10/06/2003

17

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/644,484

Applicant(s)

Belfiglio

Examiner

Clark F. Dexter

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Aug 9, 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 and 20 is/are pending in the application.
- 4a) Of the above, claim(s) 2-6 and 13 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 7-12, 14-17, and 20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____ 6) ☐ Other:

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DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on August 9, 2003 has been entered.
2. The amendment filed August 9, 2003 has been entered.

Claim Rejections - 35 USC § 112, 1st paragraph

3. Claims 14-17 and 20 are rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The original disclosure does not appear to provide support for a "mixture" of a first metallic material and a second metallic material at a center region of a bimetallic block as now set forth in claim 14. ✓ Rather, support appears to be provided only for the center of the insert consisting of a combination of the two metals as set forth on page 7, lines 18-21 of the specification.

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Claim Rejections - 35 USC § 112, 2nd paragraph

4. Claims 1 and 7-12 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 1, line 4,[✓] the recitation “a single threaded shaft” is vague and indefinite as to what “single” refers (i.e., single threads, or single shaft), and it is suggested to insert a comma after “single” or the like.

In claim 10, line 3,[✓] the recitation “a single threaded shaft” is vague and indefinite as to what “single” refers (i.e., single threads, or single shaft), and it is suggested to insert a comma after “single” or the like.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Morgan, pn 6,202,528.

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Morgan discloses a guide with almost every structural limitation of the claimed invention including a single threaded shaft (i.e., each shaft is a single shaft) but lacks the shaft extending from a centerpoint of the second surface. However, the Examiner takes Official notice that it is old and well known in the art to attach components by using a center shaft connection along with anti-rotation nubs, teeth, detents or the like and that such a configuration facilitates quick and easy assembly/disassembly of the components while also preventing relative movement therebetween. Therefore, it would have been obvious to one having ordinary skill in the art to provide a center shaft connection wherein the shaft extends outwardly from a centerpoint of the second surface for the well known benefits including those described above.

7. Claims 7-9, 11 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Morgan, pn 6,202,528 as applied to claims 1 and 10 above, and further in view of Robinson, pn 3,104,575.

Morgan discloses carbide wear components 20, 21 and thus lacks a bimetallic guide block as claimed. Robinson discloses that the wear components can be made of hardened steel for the well known benefits including improved wear and guiding characteristics. Therefore, it would have been obvious to one having ordinary skill in the art to replace the carbide wear components of Morgan with the hardened steel wear components thus forming a bimetallic guide block for the well known benefits including those described above.

Regarding the specific type of hardened steel set forth in claims 8, 9 and 12, the Examiner takes Official notice that chromium-carbide including austenitic chromium-carbide is old and

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well known in the art and has well known benefits including resistance to wear. Therefore, it would have been obvious to one having ordinary skill in the art to make the hardened steel of chromium-carbide including austenitic chromium-carbide for the well known benefits including those described above.

Allowable Subject Matter

8. Claims 14-17 and 20 appear that they would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action. However, it is noted that these claims have been rejected under 35 USC 112, 1st paragraph as not being supported by the original disclosure.

Response to Arguments

9. Applicant's arguments with respect to claims 1 and 7-12 have been considered but are moot in view of the new ground(s) of rejection.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Clark Dexter whose telephone number is (703) 308-1404. The examiner's typical work schedule is Monday, Tuesday, Thursday and Friday, and he can be reached during normal business hours on these days.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Allan Shoap, can be reached at (703)308-1082.

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Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703)308-1148. The fax numbers Technology Center 3700 are: after-final responses - (703)872-9303; other formal/official papers - (703)872-9302. The fax number for informal/draft papers - (703)305-9835.



Clark F. Dexter
Primary Examiner
Art Unit 3724

cf
October 1, 2003